

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Courts and Board Room, York County Courts and Office Center, Yorktown, Virginia, on the 3rd day of March, 1988:

Present

Vote

Julia A. Jensen, Chairman
James W. Funk, Vice Chairman
Sandra M. Lubbers
W. Ward Anderson, Jr.
Jere M. Mills

Yea
Yea
Yea
Yea
Yea

On motion of Mr. Funk, which carried 5:0, the following ordinance was adopted:

AN ORDINANCE TO APPROVE APPLICATION NO. 88-3 WHICH REQUESTS AMENDMENT OF THE YORK COUNTY ZONING MAP BY RECLASSIFYING FROM R-33 (SINGLE-FAMILY RESIDENTIAL) TO PD-RC (PLANNED DEVELOPMENT-RESIDENTIAL COMMUNITY) AND RC (RESIDENTIAL CONSERVATION); FROM PD-RC (PLANNED DEVELOPMENT-RESIDENTIAL COMMUNITY) TO R-33 (SINGLE-FAMILY RESIDENTIAL); AND FROM RC (RESIDENTIAL-CONSERVATION) TO R-33 (SINGLE-FAMILY RESIDENTIAL) PROPERTY LOCATED ON THE NORTH SIDE OF LAKESIDE DRIVE BETWEEN 50 AND 580 FEET WEST OF WINDER'S LANE

WHEREAS, Grafton Materials, Inc., and Winder's Pond Homeowner's Association has submitted Application No. 88-3 which requests reclassification from R-33 (Single-Family Residential) to PD-RC (Planned Development-Residential Community) and RC (Residential Conservation); from PD-RC to R-33; and from RC to R-33 property located on the north side of Lakeside Drive between 50 and 580 feet west of Winder's Lane and further identified as portions of Assessor's Parcel Nos. 30-62 and 30-(76)-A on the York County tax maps; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Commission has recommended approval of this application; and

WHEREAS, the Board has carefully considered the recommendation of the Commission and has conducted a duly advertised public hearing in accordance with applicable procedure; and

WHEREAS, the Board has made the following findings with regard to this application:

- o Approval of the reclassification would eliminate an unduly restrictive zoning pattern and provide reasonable use opportunities for the subject parcels.
- o Approval of this application would not be inconsistent with the adopted Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 3rd day of March, 1988, that Application No. 88-3 be, and it hereby is approved to amend the York County Zoning Map to reclassify certain parcels shown on a proposed plat entitled "Resubdivision of Winder's Pond, Section One, Common Area and Property of Grafton Materials, Inc." dated December 2, 1987, and prepared by Davis & Associates and more particularly described as follows:

- o Reclassify from R-33 to PD-RC 14,603 square feet of land described as:

All that certain lot, piece or parcel of land containing 14,603 square feet located in Grafton Magisterial District, County of York, Virginia and bounded and described as follows: Commencing at the intersection of the southerly right-of-way line of Winders Lane and the northerly right-of-way line of Lakeside Drive and from the point thus established S 46°33'11"W, 75.00' (feet) to the point and place of beginning. From the point and place of beginning thus established S 46°33'11"W, 259.80' (feet) along the northerly right-of-way line of Lakeside Drive to a point, thence N 23°41'19"W, 113.05' (feet) to a point, thence on a curve to the right with an arc length of 56.61' (feet) and a radius of 212.50' (feet) to a point, thence N 73°56'57"E, 189.74' (feet) to a point located on the northerly right-of-way line of Lakeside Drive being the point and place of beginning.

- o Reclassify from R-33 to RC 2,894 square feet of land described as:

All that certain lot, piece or parcel of land containing 2,894 square feet located in Grafton Magisterial District, County of York, Virginia and bounded and described as follows: Commencing at the intersection of the southerly right-of-way line of Winders Lane and the northerly right-of-way line of Lakeside Drive and from the point thus established S 46°33'11"W, 513.95' (feet) to the point and place

of beginning. From the point and place of beginning thus established S46°33'11"W, 92.01' (feet) along the northerly right-of-way line of Lakeside Drive to a point, thence N 18°56'35"E, 135.75' (feet) to a point, thence S 19°14'30"E, 68.98' (feet) to a point located on the northerly right-of-way line of Lakeside Drive being the point and place of beginning.

- o Reclassify from PD-RC and RC to R-33 15,637 square feet of land described as:


All that certain lot, piece or parcel of land containing 33,000 square feet (0.7576 Acre) located in Grafton Magisterial District, County of York, Virginia and bounded and described as follows: Commencing at the intersection of the southerly right-of-way line of Winders Lane and the northerly right-of-way line of Lakeside Drive and from the point thus established S 46°33'11"W, 334.80' (feet) to the point and place of beginning. From the point and place of beginning thus established S 46°33'11"W 179.15' (feet) along the northerly right-of-way line of Lakeside Drive to an iron pipe thence N 19°14'30"W, 239.92' (feet) along the line of Grafton Materials, Inc. to an iron pipe, thence N 66°18'41"E, 150.00' (feet) along the line of the common area of Winders Pond, Section One to an iron pipe, thence S 23°41'19"E, 178.64' (feet) along the line of the common area of Winders Pond, Section One to an iron pipe located on the northerly right-of-way line of Lakeside Drive being the point and place of beginning.

BE IF FURTHER ORDAINED by the York County Board of Supervisors that the conditions voluntarily proffered and contained in the proffer statement dated February 25, 1988, signed by Clinton Gardner, and set forth below be, and they hereby are, accepted and adopted to be applicable and enforced in the same manner as other applicable standards of the York County Zoning Ordinance:

1. A 5-foot wide restricted access easement shall be platted along the frontage of proposed "Lot A" and Lakeside Drive.
2. Access to proposed "Lot A" shall be via an ingress/egress easement to be platted generally parallel to Lakeside Drive over the Grafton Materials property and connecting to the existing driveway serving the Grafton Materials establishment.
3. Should further development be proposed on the remaining Grafton Materials property at some future time,

provisions shall be made to maintain access to proposed "Lot A" via said easement or an equivalent alternative.

A Copy Teste:



John M. Richardson
County Administrator